

# MICHIGAN JUDGES ASSOCIATION

FOUNDED 1927



**PRESIDENT:**  
HON. PETER J. MACERONI  
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HON. WILLIAM WHITTBECK

**Executive Director:**  
J. Michael Busch

October 27, 2003

Corbin R. Davis  
Clerk, Michigan Supreme Court  
P.O. Box 30052  
Lansing, MI 48909

Re: ADM 2001-51  
Proposed Amendment of Rule 404  
of the Michigan Rules of Evidence

Dear Mr. Davis:

At the October meeting of the Michigan Judges Association, the Rules Committee and the Executive Board considered the proposed amendment to MRE 404. We have reviewed the report of the Supreme Court Advisory Committee on the Rules of Evidence. We join the Advisory Committee in opposing the adoption of this amendment.

In addition to the reasons stated by the Advisory Committee, MJA has previously communicated to the Court our opposition to the proposed amendments. In March, 2002, MJA passed the following resolution:

The Michigan Judges Association opposes Substitute Senate Bills 733 and 734 and any other effort to abrogate hearsay and similar acts evidence rules based on concepts other than the development of evidentiary law through the appellate process.

MJA opposes the proposed amendment of Rule 404.

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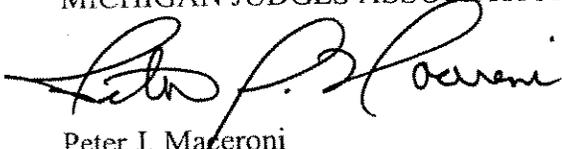
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OFFICE OF  
THE CHIEF JUSTICE

We thank the Court for considering our comments on this matter. If the Michigan Judges Association may provide any further information or assistance, we stand ready to assist the Court.

Sincerely,

MICHIGAN JUDGES ASSOCIATION

A handwritten signature in black ink, appearing to read "Peter J. Maceroni". The signature is fluid and cursive, with a large initial "P" and "M".

Peter J. Maceroni  
President

xc Maura D. Corrigan, Chief Justice  
Linda Mohny Rhodus, Administrative Counsel  
Hon. Richard Ryan Lamb  
Hon. Nanci J. Grant  
Hon. William J. Giovan